

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 28 May 2011, we the Planning Assessment Commission of New South Wales (the Commission) approve the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.



Janet Thomson  
Member of the Commission



Garry Payne  
Member of the Commission



Richard Thorp  
Member of the Commission

Sydney 15 July

2011

### SCHEDULE 1

#### Project Approval:

**MP 10\_0177** granted by the Planning Assessment Commission on 18 January 2011.

#### For the following:

Stage 1 Project Approval for demolition of the existing buildings and structures on site, tree removal, excavation, earthworks, flood mitigation works, construction of 7 residential buildings, basement parking, childcare centre, external road works, internal public access roads, public pedestrian and cycle way, Asset Protection Zone, environmental buffer areas, ecological rehabilitation and landscaping works.

#### At:

14-18 Boondah Road, Warriewood (Lot 20 in DP 1080979).

#### Proposed Modification:

MP 10\_0177 MOD 1: Modification includes:

- Deletion of a basement level and provision of a single storey basement car park containing a total of 474 car parking spaces (428 resident parking spaces, 362 of which are in a stacked formation, and 46 visitor parking spaces), 98 bicycle racks, 187 storage units and associated modifications to deep soil planting area, stair/lift locations and associated minor modifications at podium level.
- General internal layouts to Buildings A, B and C which include provision of studies.

## SCHEDULE 2

### CONDITIONS

The above approval is modified as follows:

- a) Condition A1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out words/numbers~~ as follows;

#### ***A1. Development in Accordance with Plans and Documentation***

The development will be undertaken in accordance with MP No. 10\_0177 and the Environmental Assessment dated March 2010, prepared by Architectus, except where amended by the Preferred Project Report dated September 2010, prepared by Architectus, **the Section 75W Modification dated May 2011, prepared by Meriton Apartments Pty Limited** and the following drawings:

| <b>Architectural Drawings</b> |                 |                                                    |                                          |                          |
|-------------------------------|-----------------|----------------------------------------------------|------------------------------------------|--------------------------|
| <b>Drawing No.</b>            | <b>Revision</b> | <b>Name of Plan</b>                                | <b>Drawn By</b>                          | <b>Date</b>              |
| DA00                          | B               | Cover Sheet                                        | Meriton Apartments Pty Ltd               | 6/08/2010                |
| <b><u>DA00</u></b>            | <b><u>D</u></b> | <b><u>Cover Sheet (S75W Application)</u></b>       | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>30/05/2011</u></b> |
| DA01                          | B               | Overall Site Staging Plan                          | Meriton Apartments Pty Ltd               | 13/08/2010               |
| <b><u>DA01</u></b>            | <b><u>D</u></b> | <b><u>Overall Site Staging Plan</u></b>            | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>30/05/2011</u></b> |
| DA02                          | B               | Site Plan                                          | Meriton Apartments Pty Ltd               | 12/08/2010               |
| DA03                          | B               | Carparking Plan 1                                  | Meriton Apartments Pty Ltd               | 12/08/2010               |
| DA04                          | B               | Carparking Plan 2                                  | Meriton Apartments Pty Ltd               | 12/08/2010               |
| <b><u>DA04</u></b>            | <b><u>C</u></b> | <b><u>Car parking Plan</u></b>                     | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>30/05/2011</u></b> |
| DA05                          | B               | Podium Plan                                        | Meriton Apartments Pty Ltd               | 12/08/2010               |
| <b><u>DA05</u></b>            | <b><u>D</u></b> | <b><u>Podium Plan</u></b>                          | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>30/05/2011</u></b> |
| DA06                          | B               | Typical Floor Plan (Level 2)                       | Meriton Apartments Pty Ltd               | 13/08/2010               |
| <b><u>DA06</u></b>            | <b><u>E</u></b> | <b><u>Typical Floor Plan (Level 1 &amp; 2)</u></b> | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>31/05/2011</u></b> |
| DA07                          | B               | Deep Planting                                      | Meriton Apartments Pty Ltd               | 13/08/2010               |
| <b><u>DA07</u></b>            | <b><u>D</u></b> | <b><u>Deep Planting</u></b>                        | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>30/05/2011</u></b> |
| DA10                          | B               | Street Elevations                                  | Meriton Apartments Pty Ltd               | 04/08/2010               |
| DA11                          | B               | Site Sections                                      | Meriton Apartments Pty Ltd               | 03/08/2010               |
| <b><u>DA11</u></b>            | <b><u>D</u></b> | <b><u>Site Sections</u></b>                        | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>30/05/2011</u></b> |
| DA20                          | B               | Building A Plans & Elevations                      | Meriton Apartments Pty Ltd               | 08/08/2010               |
| <b><u>DA20</u></b>            | <b><u>D</u></b> | <b><u>Building A Plans &amp; Elevations</u></b>    | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>31/05/2011</u></b> |
| DA21                          | B               | Building B Plans & Elevations                      | Meriton Apartments Pty Ltd               | 03/08/2010               |
| <b><u>DA21</u></b>            | <b><u>D</u></b> | <b><u>Building B Plans &amp; Elevations</u></b>    | <b><u>Meriton Apartments Pty Ltd</u></b> | <b><u>31/05/2011</u></b> |

|                       |                 |                                                 |                                           |                          |
|-----------------------|-----------------|-------------------------------------------------|-------------------------------------------|--------------------------|
| DA22                  | B               | Building C Plans & Elevations                   | Meriton Apartments Pty Ltd                | 03/08/2010               |
| <b><u>DA22</u></b>    | <b><u>D</u></b> | <b><u>Building C Plans &amp; Elevations</u></b> | <b><u>Meriton Apartments Pty Ltd</u></b>  | <b><u>31/05/2011</u></b> |
| DA23                  | B               | Building D Plans & Elevations                   | Meriton Apartments Pty Ltd                | 04/08/2010               |
| DA24                  | B               | Building E Plans & Elevations                   | Meriton Apartments Pty Ltd                | 03/08/2010               |
| DA25                  | B               | Building F Plans & Elevations Sheet 1           | Meriton Apartments Pty Ltd                | 06/08/2010               |
| DA26                  | B               | Building F Plans & Elevations Sheet 2           | Meriton Apartments Pty Ltd                | 13/08/2010               |
| DA28                  | B               | Building G Plans & Elevations                   | Meriton Apartments Pty Ltd                | 03/08/2010               |
| DA30                  | B               | Childcare Pool Plans & Elevations               | Meriton Apartments Pty Ltd                | 13/08/2010               |
| DA70                  | B               | Typical Unit Plans                              | Meriton Apartments Pty Ltd                | 06/08/2010               |
| <b>Landscape Plan</b> |                 |                                                 |                                           |                          |
| <b>Drawing No.</b>    | <b>Revision</b> | <b>Name of Plan</b>                             | <b>Drawn By</b>                           | <b>Date</b>              |
| LA000                 | B               | Title Sheet                                     | Site Image Landscape Architects           | 13/08/10                 |
| LA101                 | B               | Landscape Masterplan Vegetation Plan            | Site Image Landscape Architects           | 13/08/10                 |
| LA102                 | B               | Landscape Masterplan Landscape Management Zones | Site Image Landscape Architects           | 13/08/10                 |
| <b>Other</b>          |                 |                                                 |                                           |                          |
| <b>Drawing No.</b>    | <b>Revision</b> | <b>Name of Plan</b>                             | <b>Drawn By</b>                           | <b>Date</b>              |
| C025                  | P1              | Site Earthworks Plan and Section                | AT&L Civil Engineers and Project Managers | 07/09/10                 |
| C001                  | P1              | Cover Sheet                                     | AT&L Civil Engineers and Project Managers | 26/07/10                 |
| C002                  | P1              | Notes and Legends                               | AT&L Civil Engineers and Project Managers | 26/07/10                 |
| C003                  | P4              | General Arrangement Plan                        | AT&L Civil Engineers and Project Managers | 12/08/10                 |
| C004                  | P2              | Typical Road Cross Sections Sheet 1             | AT&L Civil Engineers and Project Managers | 26/7/10                  |
| C005                  | P1              | Typical Road Cross Sections Sheet 2             | AT&L Civil Engineers and Project Managers | 26/7/10                  |
| C006                  | P1              | Typical Road Cross Sections Sheet 3             | AT&L Civil Engineers and Project Managers | 26/7/10                  |
| C007                  | P2              | Typical Road Cross Sections Sheet 4             | AT&L Civil Engineers and Project Managers | 12/08/10                 |
| C008                  | P1              | Roadworks Details Sheet 1                       | AT&L Civil Engineers and Project Managers | 26/7/10                  |
| C009                  | P1              | Roadworks Details Sheet                         | AT&L Civil Engineers and                  | 26/7/10                  |

|      |     |                                                |                                           |          |
|------|-----|------------------------------------------------|-------------------------------------------|----------|
|      |     | 2                                              | Project Managers                          |          |
| C010 | P2  | Roadworks and Stormwater Drainage Plan Sheet 1 | AT&L Civil Engineers and Project Managers | 26/7/10  |
| C011 | P2  | Roadworks and Stormwater Drainage Plan Sheet 2 | AT&L Civil Engineers and Project Managers | 26/7/10  |
| C012 | P3  | Roadworks and Stormwater Drainage Plan Sheet 3 | AT&L Civil Engineers and Project Managers | 12/08/10 |
| C013 | P2  | Roadworks and Stormwater Drainage Plan Sheet 4 | AT&L Civil Engineers and Project Managers | 12/08/10 |
| C014 | P6  | Roadworks and Stormwater Drainage Plan Sheet 5 | AT&L Civil Engineers and Project Managers | 12/08/10 |
| C015 | P4  | Roadworks and Stormwater Drainage Plan Sheet 6 | AT&L Civil Engineers and Project Managers | 2/08/10  |
| C020 | P1  | Road Longitudinal Sections Sheet 1             | AT&L Civil Engineers and Project Managers | 04/06/10 |
| C021 | P1  | Road Longitudinal Sections Sheet 2             | AT&L Civil Engineers and Project Managers | 04/06/10 |
| C040 | A   | Bio Retention Basin A Detail Plan              | AT&L Civil Engineers and Project Managers | 29/10/10 |
| C041 | A   | Bio Retention Basin B Detail Plan              | AT&L Civil Engineers and Project Managers | 29/10/10 |
| C035 | P1  | Pavement Plan Sheet 1                          | AT&L Civil Engineers and Project Managers | 26/07/10 |
| C036 | P1  | Pavement Plan Sheet 2                          | AT&L Civil Engineers and Project Managers | 26/07/10 |
| C037 | P1  | Pavement Plan Sheet 3                          | AT&L Civil Engineers and Project Managers | 26/07/10 |
| C038 | P1  | Pavement Plan Sheet 4                          | AT&L Civil Engineers and Project Managers | 26/07/10 |
| N/A  | N/A | Letter regarding public open space dedication  | Meriton Apartments Pty Ltd                | 11/11/10 |

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- otherwise provided by the conditions of this approval.

- b) Condition B13 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out words/numbers~~ as follows;

**B13 Car and Bicycle Parking Provision and Storage**

- a. ~~Car parking provision shall meet the requirements of Pittwater DCP 21. A total of 474 car parking spaces are to be provided within the basement, including a minimum of 46 visitor parking spaces.~~ Visitor parking shall include a minimum of 2 spaces

- designated for persons with a disability. The design and construction of the parking area and parking spaces must be in accordance with AS2890.1 and AS2890.6.
- b. Secure bicycle parking is to be provided for 98 bicycles on site, designed and constructed in accordance with AS2890.3.
  - c. Storage areas for each dwelling are to be provided within the unit and/or basement or part lot.
  - d. The 362 parking spaces in a stacked formation shall be allocated to the 2 or 3 bedroom units, ie. 2 stacked spaces must be allocated on title to a single apartment. All studio and 1 bedroom units, which are only allocated 1 parking space, must be provided with a single unstacked space. The 46 visitor parking spaces must not comprise stacked spaces.

- c) Condition C21 to be added by the insertion of the **bold and underlined** words as follows;

**“C21 CPTED measures within the basement car park**

**To minimise the opportunity for crime and in accordance with CPTED principles, the development shall incorporate the following to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate:**

- i. In order to maintain a safe level of visibility for pedestrians within the development, adequate lighting to AS1158 is to be provided to the basement car park, including entry/exits, lift and stair access, storage and bike racks and waste storage areas.

This lighting shall ensure consistency to avoid contrasts between areas of shadow/illumination and preferably be solar powered and with an automatic/timed switching mechanism, motion sensor or equivalent for energy efficiency. Such lighting shall be installed and directed in such a manner so as to ensure that no nuisance is created for surrounding properties or to drivers on surrounding streets. Car parking lighting system is to be controlled by sensors to save energy during periods of no occupant usage.

- ii. The soffit of the basement parking area shall be painted a gloss white (or equivalent) in order to ensure good visibility, surveillance and less reliance on artificial lighting lux levels.
- iii. Adequate signage within the basement to identify facilities, including visitor and accessible parking spaces, entry/exit points, and direct movement within the development.
- iv. Provision of 24 hour security surveillance over the basement car park by means of monitored CCTV cameras and on-site management/security”.

- d) Condition F20 to be added by the insertion of the **bold and underlined** words as follows;

**“F20. CPTED measures within the basement car park**

**To minimise the opportunity for crime and in accordance with CPTED principles, the development shall be constructed in accordance with the approved plans/details in accordance with Condition C21 of this Project Approval”.**

- e) Condition C22 to be added by the insertion of the **bold and underlined** words as follows;

**“C22 Car washing facilities within the basement**

**The development shall incorporate a minimum of 1 car washing bay with appropriate construction including water supply, bunding, drainage and collection/treatment of water. Appropriate plans/details are to be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant construction certificate”.**

- f) Condition F21 to be added by the insertion of the **bold and underlined** words as follows;

**"F21 Car washing facilities within the basement"**

**A car washing bay is to be provided within the basement in accordance with the approved plans/detailed in accordance with Condition C22 of this Project Approval".**

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**END OF MODIFICATIONS TO MP 10\_0177**